



**U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Avenue, NW, Suite 1100
Washington, DC 20005**

**Statement on Today's Vote of the U.S. Election Assistance Commission
Concerning EAC Advisory to States on Maintenance of Effort
By Commissioner Gracia Hillman**

April 30, 2008 - Today, the U.S. Election Assistance Commission (EAC) voted 3 to 1 to table the proposal offered by Commissioner Hunter to remove local units of government from EAC Advisory 07-003-A concerning State maintenance of effort. I voted against the motion because the proposal is fiscally irresponsible and a disservice to tax payers and voters.

Maintenance of effort is sometimes imposed by the Federal government on its grantees. The purpose is to ensure that the federal assistance results in an increased level of program activity, and that the grantee does not simply replace its own dollars with federal dollars (GAO Redbook, Chapter 10, Page 10-102). Maintenance of effort is required in the Help American Vote Act (HAVA) §254(a)(7). This requirement assures that voters will receive increased services under the administration of Federal elections.

In many if not most States, the local units of government comprise a major portion of the maintenance of effort within the state for the administration of Federal elections. Twenty-three (23) State plans acknowledge the role of local government in maintenance of effort. Other States, while not specific on that point, share a significant portion of their HAVA funds with the local governments.

States have made significant progress to implement the requirements of HAVA. Noticeable improvements are being made. I believe that States and the local units of government therein are meeting the maintenance of effort requirement. However, EAC has an obligation to Congress, the voters and the tax payers to document that States are meeting the maintenance of effort requirements. States should be fully transparent as to where the maintenance of effort resides and is therefore being maintained.

What is clear is that some States were pushing back on having to document to EAC a maintenance of effort that includes the important role of local governments. I urged my colleagues to follow through on our earlier discussions to form a working group with States to find the common ground that is not unduly burdensome to States and allows EAC to meet its obligations. The proposal on the table does not do that.

EAC has a responsibility to fully consider the impact of its policies and advisories on States, local units of government, itself and most importantly, the voters. I look forward to our continued examination of the issue, especially in dialogue with the States.

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